

THE METALS.
Silver, 45¢ per ounce.
Copper, 14¢ per pound; New
York, \$14.50; per 100 lbs.
Lead, \$15.00 per 100 pounds; New
York, \$14.75.

THE SALT LAKE HERALD.

THE WEATHER.
FOR SALT LAKE. 1
FAIR.

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STRUGGLE FOR CONTROL OF SOUTHERN PACIFIC ROAD

Lawyers Arguing the Injunction Case Before the United States Court at Nashville.

Statement of Talbot S. Taylor in Reply to the Affidavits of Harriman and His Party.

Nashville, April 2.—The case of Talbot J. Taylor vs. the Southern Pacific and Union Pacific will go to Judge Lorton tomorrow morning. It only remains for Senator Foraker to conclude his argument, which was stated in the greater part of which was finished this afternoon.

NASHVILLE, Tenn., April 2.—The struggle for control of the Southern Pacific between James R. Keene and the Union Pacific railroad went on in the United States court today. The second day's session of the court which is hearing the application for an injunction to prevent the voting of certain holdings, opened at 9:30. Judge Alexander Humphrey of Louisville, replying for the Harriman interests to the address of Edward Lauterbach of New York, representing Mr. Keene, continued his remarks begun late yesterday afternoon. He read largely from Mr. Harriman's affidavits, already made public, and said he would leave the law to be discussed later by his associates. The speaker then adverted to the development and improvement of both properties and said there was no evidence to show that the directors ever contemplated turning over the control of the Southern Pacific. Judge Humphrey discussed the appointment of joint agents for the Union and Southern Pacific and also the alleged diversion of freight from Chicago to various points, contending that no discrimination had been practiced against the Southern Pacific. He traced the development of the Central Pacific and said the plans of putting the property in a physical condition, as inaugurated by Mr. Huntington, had been carried out.

Supreme Court Cited.
Judge Humphrey said that the appropriation of earnings to the improvement of railroad properties, instead of paying dividends to preferred stockholders, had been held by the supreme court of the United States to be for the best interest of all the shareholders and that the complainant thought the way to moderate a railroad was to issue securities.

Rights of Corporations.
Mr. Everts said it was evident that the bill had been drawn in 1901 and was held until a few days before the meeting of the stockholders, and declared that the complainants by the acquiescence in the election of the board of directors were stopped from prosecuting the cause of action. Mr. Everts then entered upon a technical and legal defense of the right of corporations to purchase shares of stock in other corporations, and in regard to withholding dividends from the owners of the stock in the Southern Pacific, said that in order to pay them it would be necessary to borrow great sums and the result would be that the public would be compelled to pay higher charges. He insisted that no evidence had been introduced to show that competition existed between the Southern Pacific and Union Pacific in Kentucky and that competition between those lines was confined to certain points outside that state.

When the hearing of the case was resumed at 3:30 o'clock, Mr. Maxwell continued his argument. He suggested that as it was said the Union Pacific could not be brought into court here because of inconvenience or want of jurisdiction, there was nothing to keep the matter from being taken into the United States circuit court of New York.

Moral Turpitude Charge.
He continued: "The charges of moral turpitude against the directors of the Southern Pacific are dissipated by the fact that the very plans projected by Mr. Huntington are being carried out by the directors of the Southern Pacific."

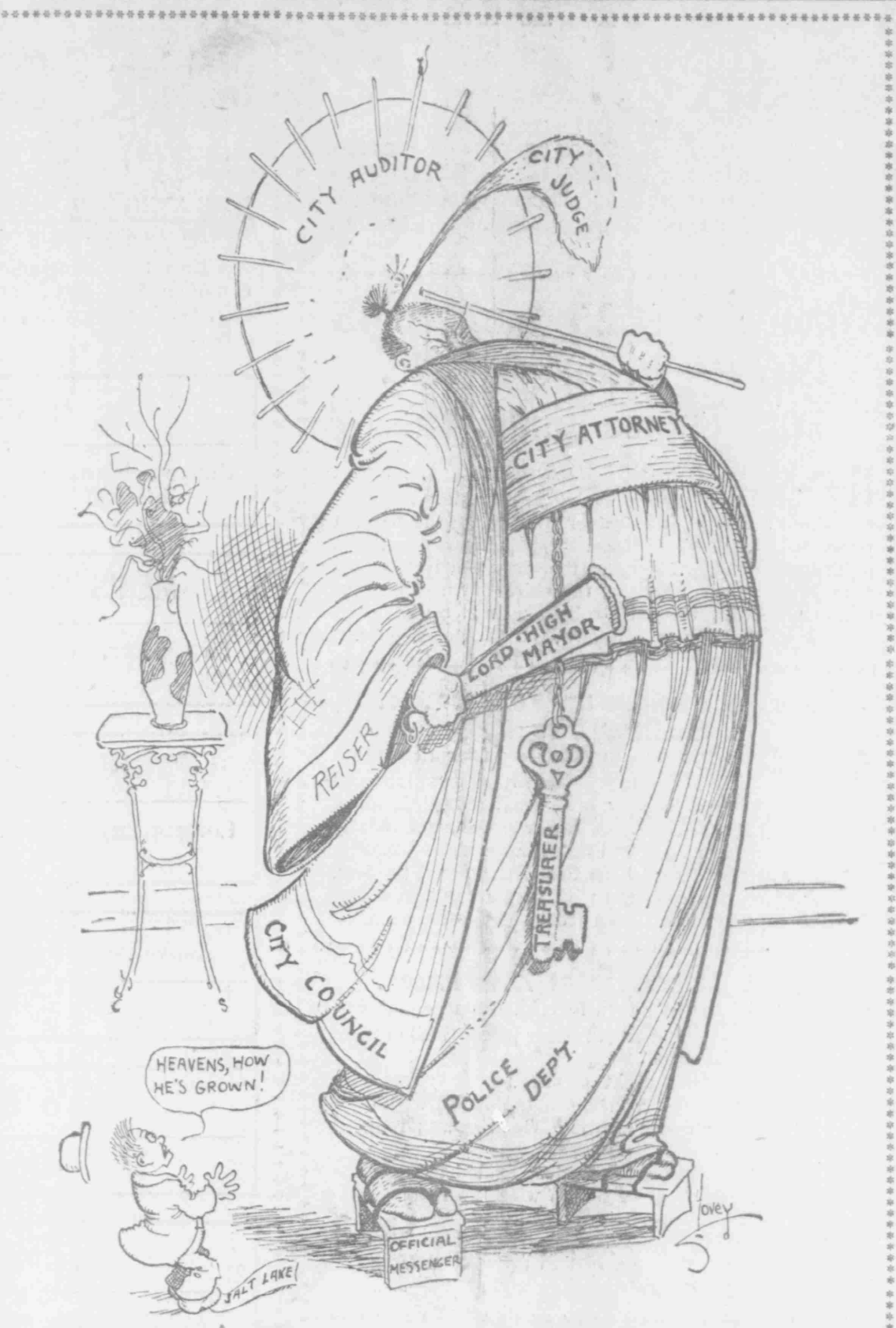
ator Foraker, for the complainant. He undertook at the outset to defend his clients against any accusation of stock jobbing.

A Distinction Made.
"If the Central or the Southern Pacific is a stockholder of the Union Pacific," he said, "it is in court when the Union Pacific is there. We have sued the Southern Pacific and it is not the corporate, but the stockholders who are in court."

Stockholders Not Allowed to Inspect Southern Pacific Books.
New York, April 2.—In reply to the published statement by E. H. Harriman to the effect that every body for inspecting the Southern Pacific stock books had been granted on request and that "any failure to obtain necessary information was due either to lack of real desire or to some accident," Talbot J. Taylor made the following statement today:

Consul Hamilton Was Not to Blame
Washington, April 2.—Assistant Secretary Loomis, who has been making an investigation into certain charges made today in the celebrated State of Greene at Hamilton, Bermuda, in connection with the wreck of the tourist steamer Madiara, today received a reply from that officer which is regarded as satisfactory, and there will be no further proceedings in this matter. The consul makes it appear that he was not informed of the fact of the grounding of the ship until some time after it occurred, and asserts that as soon as he was informed he did everything within his power to alleviate the condition of the castaways.

Argument Heard in Minnie Healy Case
St. Paul, Minn., April 2.—A Helena, Mont., special to the Dispatch says: The supreme court is hearing arguments today in the celebrated Minnie Healy case, the title to which is in controversy between P. Augustus Heinze and the Amalgamated Copper company. Arguments will probably be concluded tonight. The mine is valued at \$10,000,000.



SALT LAKE'S SELF-APPOINTED POOH-BAH (As Seen By Himself).

"OLD COTTONTOP" IN A FIGHT TENEMENT HOUSE FIRE

Senator Clarke of Arkansas Cracks Congressman Brundage on the Head and the Latter Gets Back As Best He Can.
One Life Lost, Eight People Injured and a Property Loss of \$10,000.

LITTLE ROCK, Ark., April 2.—A fight took place here today in front of the Capitol hotel, on one of the most prominent streets of the city, between United States Senator James P. Clarke and Congressman Brundage. The difficulty occurred over a statement given by a reporter by Mr. Brundage in an interview several weeks ago. Senator Clarke struck Mr. Brundage several blows on the head, which were promptly returned by Mr. Brundage.

THREE MEN DESPERATELY WOUNDED DURING A SALOON ROW IN SEATTLE

Seattle, April 2.—Three men lie badly wounded in the Wayside Mission hospital, the result of a desperate shooting scrape that occurred about 12:15 this morning in the O K saloon, 510 King street. James Clarke and William McLaughlin may die. Dan McAuley, the man who started the trouble and who did most of the shooting, has even chances to recover although he is in a critical condition.

RIO GRANDE TRAINS BLOCKED BY SNOW AND ROCKSLIDES IN COLORADO

Denver, Colo., April 2.—A snowstorm, which began early this morning, has been general over Colorado. Many snow and landslides have occurred in the mountain districts, doing much damage to railroads and mining property, but so far as known causing no loss of life.

BLUEJACKETS WERE LANDED

United States Protecting Its Consulate in San Domingo.

REBELS CONTROL THE CITY

SEVERE FIGHTING AND MANY LIVES REPORTED LOST.

CAPE HAITIEN, April 2.—The situation in San Domingo City is very critical. The commander of the United States cruiser Atlanta, which arrived at San Domingo from this port yesterday, landed a detachment of fifty bluejackets to guard the United States consul general in that city.

BUSINESS SUSPENDED.

Situation in the City of San Domingo Is Critical.

San Domingo, March 31.—The United States cruiser Atlanta arrived here yesterday and established a signal station on the shore. She will land marines if necessary. A severe encounter is reported to have taken place yesterday between the government troops and the rebels at San Antonio de Guerra, about twenty miles from this city. It is said that 146 men were killed or wounded.

FREQUENT OCCURRENCE.

It Often Becomes Necessary to Land Marines.

Washington, April 2.—The landing of bluejackets from a foreign man-of-war stationed in a friendly port to watch the interests of the citizens of the country it represents is frequently resorted to where the local authorities are unable to give adequate protection. Power to do so rests in the discretion of the naval commander, and usually is made at the request of the diplomatic representative of the country whose interests appear to be menaced.

CRISIS IMMINENT.

Washington, April 2.—The navy department is informed that the cruiser Atlanta has arrived at San Domingo City, where she was ordered to look after American interests during the present troubles now in progress in San Domingo. There was an exchange of shots at San Domingo yesterday between Dominican warships and land batteries. The latest report received from United States Consul Maxwell at San Domingo was to the effect that a crisis was imminent.

MONTANA'S GREETING TO ADMIRAL SCHLEY

Helena, Mont., April 2.—Admiral Schley received a great reception here tonight. He is visiting the city with Colonel A. K. McClure of Philadelphia. The occasion being the unveiling of a monument to John X. Beidler, pioneer. Colonel McClure delivered the oration this evening and Admiral Schley also spoke. Admiral Schley will be the guest of the city for four days. Tomorrow there will be an inspection and reception at Fort Harrison, and in the evening a reception at the state capitol.

MONTANA INDIANS TELL TALES OF WOE

Washington, April 2.—Acting Commissioner Tamm of the Indian office today heard the representations of the delegation of Flathead Indians of Montana who are now in the city. Several of them were in blankets. The reservation has been established four miles to the eastward of the proper location, and also take to have the per capita tax on Indian cattle running on the reservation abolished.

ARIZONA SMELTERS ARE CLOSING DOWN

Prescott, Ariz., April 2.—The Poland mill closed down today, throwing over 100 men out of employment. Although the company contemplates changing the process of treating ore, it is given out that the shutdown was decided on principally as the result of the eight-hour law passed by the legislature. Other companies, it is said, are contemplating the same action, as an eight-hour day with a ten-hour schedule, it is claimed, will increase the expenses of operating 25 per cent.

WENT INTO THE LAKE.

Gravel Train Goes Through Trestle on Lucin Cut-off.
Ogden, April 2.—A gravel train on the Lucin cut-off was let down into the lake by the spreading and giving way of some piles about one mile and a half west of Promontory point. Four cars were in the lake. A Greek laborer named Demarest suffered severe injuries and eight others were slightly hurt. The cars were recovered. About 200 feet of trestle gave way.

TWO TRUSTIES ARE RECAPTURED

Parry's Supposed Sister Unwittingly Assists Officers.

SHE TOOK FOOD TO THE MEN

WERE IN HIDING WEST OF THE JORDAN RIVER.

A WOMAN, supposed to be the sister of George Parry, unwittingly assisted four penitentiary officials in capturing him and Jonathan Hunt last night about 9 o'clock on the Salt-air track near the Jordan river. The men are the two trustees who escaped from the prison some time Monday afternoon and have been searched for ever since by the authorities, assisted by dogs kept at that institution for such purposes. Less than two hours after they had been taken into custody the convicts were once more behind lock and key at the penitentiary.

Hunt Was Going Back Home.
When Parry and Hunt were captured the woman in the case was about to give the former a small flour sack filled with bread and other provisions. She had no idea she was being watched by four men all the time.

"If I were guilty of the crime of which I was convicted I would not care," sobbed the man as he permitted himself to be handcuffed to his companion as they stood upon the Salt-air track. "But I am innocent. I learned that my wife and children were in want. I grew despondent, and decided to return home and help them. That is why I ran away. The little ones needed my help, and I was going back home to see what I could do for them. But it is all over now. God knows what will become of them."

PARRY GREW SEMI-DEFIANT.

Parry, on the other hand, became surly, but not defiant. He assumed that stolid, indifferent, semi-defiant attitude so often seen in convicts who have attempted to escape and are enjoying liberty for a short time are recaptured.

The men who effected the capture of Parry and Hunt were Ed Jenny, Andrew Lee, David Alton and Charles Stowe. Not finding the slightest trace of the convicts up to yesterday noon, Warden Dow decided to shadow the house of Parry's father, who lives near the corner of South Third and Fifth West streets. So the four men stationed themselves in hiding places along the Saltair tracks just west of the Jordan river, not many blocks away.

About 9 o'clock last evening a woman was seen walking west on the tracks on the other side of the river. She was whistling as though trying to attract the attention of someone. Just as she reached a cattle-guard, two blocks west of the river, Parry got up from a clump of willows alongside the track and rushed forward to meet her.

FASTED SINCE MONDAY NOON.

Stowe, who was under the guard, with Hilton immediately behind him, recognized the woman as Parry's wife. Instantly the convict was bound with two revolvers and taken into custody. With a revolver held close to his head, he was made to tell where Hunt was hiding. He then found a short distance away in another clump of willows.

The men said they had had nothing to eat since Monday noon, so they were taken to a hotel and given a square meal. From there they were taken back to the prison.

NOTED DIAMOND THIEF HELD FOR EXTRADITION

New York, April 2.—William White, alias Devin, is held to await extradition papers from Rhode Island on a charge of diamond robbing in Providence. Police Inspector McCluskey says that White has committed many diamond robberies; that it is alleged that in 1895 he stole a tray of diamonds valued at \$5,000 in Washington, for which he was never apprehended; that he served three years in Pennsylvania for the theft of \$6,000 worth of diamonds, and that he is wanted in Pittsburgh and Chicago for diamond robberies to the value of \$5,000.

HIS CRIME EXPIATED AT THE END OF A ROPE

Kittanning, Pa., April 2.—The first hanging in the history of Armstrong county took place today, when Frank Dudash, who killed his cousin, Joseph Fedelin, on Oct. 16, 1901, was executed. The crime was the outcome of a quarrel between the two men which had taken place in their boyhood days in Germany, causing a feud which had never been settled until fate threw the two together in this country as grown men.

PLAQUE AND CHOLERA

Cairo, Egypt, April 2.—The bubonic plague has spread in some parts of Egypt. Cholera cases are reported at Alexandria.